

REMARKS

This is intended as a full and complete response to the Office Action dated February 28, 2006, having a shortened statutory period for response set to expire on May 28, 2006, which period for response has been extended to August 28, 2006. Please reconsider the claims pending in the application for reasons discussed below.

A telephone interview was conducted on Friday, August 26, 2006, in which the pending claims were discussed, as well as the prior art relied on for the rejection in the outstanding Office Action. The specific prior art references discussed were Lasich (US 4,029,202), Morbeck (US 3,380,608) and Milton et al (US 4,518,097). Claims 20 and 24 were discussed. No agreement was reached during the telephone interview. Applicant has amended the claims by canceling all of the claims (without prejudice to including the new claims in another application) and amending claim 20, in order to secure allowance of claim 20.

As amended, the applicant submits Claim 20 is patentable over the three cited references identified above, individually or in combination. The amendments overcome the Section 102 rejection under Lasich. Additionally, the applicant submits the amendments also overcome the Section 103 rejection that is based on Morbeck in view of Milton.

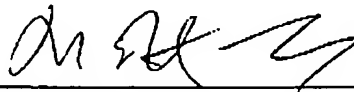
As noted in an earlier response, the applicant submits it would not have obvious to modify Morbeck using Milton. Nevertheless, the applicant submits that particularly in view of the current amendments, the ampoule opener defined by claim 20 is not disclosed or rendered obvious by Morbeck or Milton, even if those references are combined. At the examiner's suggestion, language from now-cancelled claim 24 was incorporated into amended claim 20, to recite two elongated housing sections hingedly connected to one another. Furthermore, amended claim 20 now requires additional limiting language, namely, that the first and second elongated housing sections have "at least one latch capable of securing the first elongated housing section to the second elongated housing section to define an inner cavity shaped to receive a portion of an ampoule." That latch limitation is not new matter; support for the latch limitation can be found in the drawings (e.g., reference number 16 in Figure 1) as well as the specification (e.g., paragraph [0051]). That particular limitation is not disclosed or suggested by either reference. Morbeck teaches away from using a latch, which is mechanical and in certain embodiments can form a connection that can also be disconnected. Morbeck discloses using a "butt weld" or

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adhesives to attach the two sections to define a cavity. (See Morbeck, Col. 2, lines 10-28.) Such attachment means are not mechanical and typically more permanent.

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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